

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

PETRÓLEOS DE VENEZUELA, S.A., PDVSA
PETRÓLEO, S.A., and PDV HOLDING, INC.,

Plaintiffs,

- against -

MUFG UNION BANK, N.A. and GLAS AMERICAS
LLC,

Defendants.

Case No: 19-cv-10023-KPF

**DECLARATION OF JAMES R. BLISS IN OPPOSITION
TO DEFENDANTS' MOTION FOR SUMMARY JUDGMENT**

I, JAMES R. BLISS, hereby declare pursuant to 28 U.S.C. § 1746 and Local Rule 7.1 as follows:

1. I am partner at Paul Hastings LLP, attorneys for plaintiffs and counterclaim defendants Petróleos de Venezuela, S.A. and PDVSA Petróleo.
2. Capitalized terms used herein have the same meanings as in Plaintiffs' memorandum of law in opposition to Defendants' motion for summary judgment.
3. Attached to this declaration as Exhibit 1 is a true and correct copy of State Dep't, *Mesa de la Unidad Democrática (MUD) Statement on Dialogue in Venezuela* (July 8, 2016).
4. Attached to this declaration as Exhibit 2 is a true and correct copy of State Dep't, *Assumption of Legislative Powers in Venezuela* (Aug. 18, 2017).
5. Attached to this declaration as Exhibit 3 is a true and correct copy of Press Statement, Secretary of State Michael R. Pompeo, *Recognition Of Juan Guaidó As Venezuela's Interim President By Several European Countries* (Feb. 4, 2019).

6. Attached to this declaration as Exhibit 4 is a true and correct copy of Statement from President Donald J. Trump Recognizing Venezuelan National Assembly President Juan Guaido as the Interim President of Venezuela, WHITEHOUSE.GOV (Jan. 23, 2019).

7. Attached to this declaration as Exhibit 5 is a true and correct copy of *Board of Directors*, CITGO.

8. Attached to this declaration as Exhibit 6 is a true and correct copy of a supplement to Defendants' excerpted translation of the Opinion of the Office of Special Attorney General (PER-40), dated April 15, 2019.

9. Attached to this declaration as Exhibit 7 is a true and correct copy of Ana Isabel Martinez and Corina Pons, *Venezuela's PDVSA offers \$7 billion bond swap to ease debt burden*, Reuters (Sept. 13, 2016).

10. Attached to this declaration as Exhibit 8 is a true and correct copy of Eyanir Chinae and Brian Ellsworth, *S&P says PDVSA bond swap offer 'tantamount to default'*, Reuters (Sept. 19, 2016).

11. Attached to this declaration as Exhibit 9 is a true and correct copy of a supplemented excerpt from Defendants' translation of the Opinion of the Office of Special Attorney General (PER-189), dated August 28, 2019.

12. Attached to this declaration as Exhibit 10 is a true and correct copy of *Treasury Sanctions Eight Members of Venezuela's Supreme Court of Justice*, U.S. Dep't of Treasury (May 18, 2017).

13. Attached to this declaration as Exhibit 11 is a true and correct copy of *Responses and Objections of Petróleos de Venezuela, S.A. & PDVSA Petróleo, S.A., to Defendants' First Request for Documents*, dated January 3, 2020.

14. Attached to this declaration as Exhibit 12 is a true and correct copy of Executive Order No. 13692 (Mar. 8, 2015).

15. Attached to this declaration as Exhibit 13 is a true and correct copy of Treasury Dep't, Treasury Sanctions the President of Venezuela (July 31, 2017).

16. Attached to this declaration as Exhibit 14 is a true and correct copy of U.S. White House, Statement by the Press Secretary on New Financial Sanctions on Venezuela (Aug. 25, 2017).

17. Attached to this declaration as Exhibit 15 is a true and correct copy of State Dep't, U.S. Government Support for the Democratic Aspirations of the Venezuelan People.

18. Attached to this declaration as Exhibit 16 is a true and correct copy of S. Res. 537, 114th Cong. (2016).

19. Attached to this declaration as Exhibit 17 is a true and correct copy of H. Res. 259, 115th Congress (2017).

20. Attached to this declaration as Exhibit 18 is a true and correct copy of S. Res. 414, 115th Cong. (2017).

21. Attached to this declaration as Exhibit 19 is a true and correct copy of Andriena Aponte and Leon Wietfield, *Factbox: Venezuela's jailed, exiled or barred opposition politicians*, Reuters (Feb. 19, 2018).

22. Attached to this declaration as Exhibit 20 is a true and correct copy of Executive Order No. 13857 (Jan. 25, 2019).

23. Attached to this declaration as Exhibit 21 is a true and correct copy of Executive Order No. 13884 (Aug. 5, 2019).

24. Attached to this declaration as Exhibit 22 is a true and correct copy of White House, Press Release, *Statement from National Security Advisor Ambassador John Bolton on Venezuela* (Jan. 11, 2019).

25. Attached to this declaration as Exhibit 23 is a true and correct copy of White House, *United States Stands with Interim President Juan Guaidó and Venezuela's President* (Feb. 4, 2020).

26. Attached to this declaration as Exhibit 24 is a true and correct copy of the U.S. Government's letter in *Impact Fluid Solutions et al v. Bariven S.A. et al*, Civ No. 4:19-cv-00652, Dkt. No. 43-1 (S.D. Tex. Jan. 31, 2020).

27. Attached to this declaration as Exhibit 25 is a true and correct copy of U.S. Department of the Treasury, Press Release, *Treasury Sanctions Venezuela's State-Owned Oil Company Petroleos de Venezuela, S.A.* (January 28, 2019).

28. Attached to this declaration as Exhibit 26 is a true and correct copy of Supreme Tribunal of Justice No. 276, Gerardo Sanchez Chacón, Apr. 24, 2014 (Venez.) (translated)

29. Attached to this declaration as Exhibit 27 is a true and correct copy (with highlights) of Hernando Diaz Candia, *The principal of Stare Decisis and the concept of binding precedent for the purposes of Article 335 of the Constitution of the Bolivarian Republic of Venezuela*, in 8 Revista de Daerecho Constitucional 220-21 (Sherwood ed., 2003) (translated).

30. Attached to this declaration as Exhibit 28 is a true and correct copy (with highlights) of Supreme Tribunal of Justice No. 2817, Challenging of various provisions of the Organic Law of the Electorian Authority, Nov. 18, 2002 in 89-92 Revista de Derecho Publico 174 (Editorial Jurídica Venezolana ed., 2002) (translated).

31. Attached to this declaration as Exhibit 29 is a true and correct copy of Political-Administrative Chamber of the Federal Court and Court of Cassation No. 62, Attorney General of the Republic I, Nov. 26, 1937 (translated).

32. Attached to this declaration as Exhibit 30 is a true and correct copy of Corte Suprema de Justicia No. 760, Banco de Venezuela, Mar. 22, 1962 (translated).

33. Attached to this declaration as Exhibit 31 is a true and correct copy of Supreme Tribunal of Justice No. 2241, Andrés Velásquez and others, the partial annulment of Article 80 of the Organic Law of the Financial Administration of the Public Sector, Sept. 24, 2002 (translated).

34. Attached to this declaration as Exhibit 32 is a true and correct copy of Supreme Tribunal of Justice No. 1460, Attorney General of the Republic II, Jul. 12, 2007 (translated).

35. Attached to this declaration as Exhibit 33 is a true and correct copy of Supreme Tribunal of Justice No. 618, Brigitte Acosta Isis, July 20, 2016 (translated).

36. Attached to this declaration as Exhibit 34 is a true and correct copy of Kejal Vyas, *Venezuela Court Blocks Three Rival Lawmakers-Elect From Taking Office*, WALL ST. J. (Dec. 30, 2015).

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Executed this 29th day of June, 2020

/s/ James R. Bliss